

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3:19-cv-241

COMPASS BANK,

Plaintiff,

vs.

NYBORG INTEGRATED LOGISTICS,  
INC. and JAMES NYBORG

Defendants.

**DEFAULT JUDGMENT**

This matter came before the Court on the Motion of Plaintiff Compass Bank for a judgment by default against Defendants Nyborg Integrated Logistics, Inc. and James Nyborg pursuant to Rule 55 of the Federal Rules of Civil Procedure. Having reviewed the record, the Court finds and concludes as follows:

1. Plaintiff commenced this action by filing a Verified Complaint on May 22, 2019 to recover money owed under a Note and Guaranty.
2. Defendants were served with copies of the Summons and the Verified Complaint on June 5, 2019.
3. Neither Defendant is a minor, incompetent, or a member of the United States Military.
4. Defendants failed to plead or otherwise appear in this action, and, consequently, the Clerk of Court entered a default against them on July 18, 2019.
5. Plaintiff's claims against Defendants in this action are for a sum certain or for a sum that can by computation be made certain.

6. Accordingly, a judgment by default should be entered in this action.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** as follows:

1. Plaintiff's Motion for Default Judgment shall be and hereby is granted.
2. Plaintiff shall have and recover from Defendants a judgment for the following amounts:
  - a. Principal in the amount of \$234,116.98;
  - b. All interest that accrues at a per diem rate of \$41.50 until the judgment is entered;
  - c. Attorneys' fees in the amount of \$35,117.55;
  - d. Court costs in the amount of \$681.00;
  - e. The \$60 service fee that Plaintiff paid to have the Sheriff of Mecklenburg County serve the Summons and Verified Complaint on Defendants; and
  - f. All post-judgment interest that accrues on the judgment until it is paid in full.

Signed: August 6, 2019

  
Frank G. Johns, Clerk  
United States District Court

